

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re.

No. C 13-2936 SI (pr)

HAROLD K. SUTTON,

ORDER OF DISMISSALPlaintiff.

Plaintiff sent to the court a letter complaining about conditions of confinement at the California State Prison - Los Angeles, where is incarcerated. In an effort to protect his rights, a new action was opened and the letter was filed on June 26, 2013. Plaintiff was informed that he had not filed a complaint, and was given 28 days to do so or the action would be dismissed. He also was sent a notice that he had not paid the filing fee or applied for leave to proceed *in forma pauperis*, and was given 28 days to either pay the fee or file the application or the action would be dismissed. Pursuant to plaintiff's request, the clerk sent him an extra copy of the form complaint and the *in forma pauperis* application on August 22, 2013. Plaintiff sent another letter (Docket # 7) complaining about problems he had at his prison, but that letter was not the complaint he had been directed to file if he wanted to pursue a civil rights action.¹ More than thirty days have passed, and plaintiff has not filed a complaint and has not filed an *in forma pauperis* application or paid the filing fee. This action therefore is DISMISSED without prejudice.

¹If plaintiff wants to attempt to obtain judicial relief for conditions of confinement at the California State Prison - Los Angeles, he should file a civil rights complaint rather than send a letter to the court. Also, he should file that complaint in the U.S. District Court for the Central District of California as that is the proper venue for a complaint about that prison.

No fee is due. The clerk shall close the file.

IT IS SO ORDERED.

Dated: October 10, 2013



SUSAN ILLSTON
United States District Judge